

UNITED STATES DISTRICT COURT
for the
Northern District of Texas

AUDREY BELL

v.

ABLE SECURITY & INVESTIGATIONS, INC.
and WALTER ROBERTS

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§
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§

Civil Action No. 3:10-cv-1945

AFFIDAVIT OF DILIGENCE TO EFFECT PERSONAL SERVICE

I, Stephen M. Troutz, having been first duly sworn do state the following that:

I am over the age of eighteen (18) years of age and have no interest in the outcome of the above referenced cause. All of the facts stated herein are true and correct.

On December 27, 2010 at 12:30p.m., I received a Summons and Original Complaint and Demand for Jury Trial Plaintiff's Certificate of Interested Parties, and Plaintiff's Motion to be Excused from Requirements of N.D. Texas Civ. Rule 83.10(a), and Order to be delivered to Walter Roberts, 3024 Fort Worth Ave., Dallas, TX, 75211.

Following are my attempts:

December 28, 2010, 3:32p.m.

Attempted delivery to 3024 Fort Worth Ave, Dallas, TX, 75211. Door is locked and call button is located at door with cameras outside pointing to area around call button. Lady answered call button; came to door and after telling her I had court documents to deliver to Walter Roberts, she stated he was out of the office for at least a week, if not more. Left contact info with her.

December 30, 2010, 12:15a.m.

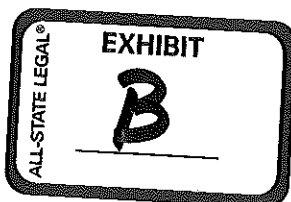
Attempted delivery to 3024 Fort Worth Ave, Dallas, TX, 75211. No answer to call button; door locked; no vehicles located around building; left door hanger with contact info.

January 4, 2011, 1:16p.m.

Attempted delivery to 3024 Fort Worth Ave. Dallas, TX, 75211. No answer to call button; door locked; no vehicles located around building; left door hanger with contact info; old hanger was gone.

January 5, 2011, 8:42a.m.

Attempted delivery to 3024 Fort Worth Ave, Dallas, TX, 75211. Same elderly lady, from first attempt answered call button; stated Walter Roberts was not in the office; asked if she had given him my contact info; she stated yes. Asked if she would come to the door to get another card with my contact info; she stated no, but she would just tell him I was back today. Asked her if she would call him and she refused stating he was out in the field and she was not supposed to contact him. Left door hanger with contact info.



January 7, 2011, 4:45p.m.

Attempted delivery to 3024 Fort Worth Ave., Dallas, TX 75211. Same elderly lady from previous attempts answered call button then came to door; stated Walter Roberts was not in the office, that he was rarely in the office; that she had given my contact info to him each time and she did not know when he would be back in. Asked again if she could contact him and she stated no. Gave her another card with contact info.

January 10, 2011, 2:52p.m.

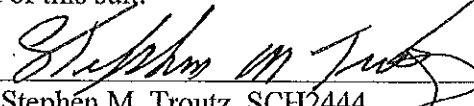
Attempted delivery to 3024 Fort Worth Ave., Dallas, TX 75211. Door was open this time; went inside; Same elderly lady was inside with a young male that was filling out a job application. After asking for Walter Roberts, she stated he was again in the field and not available to be contacted; she stated she did not know when he would be back in the office; left contact info with her again. Asked if there was anyone else in the office I could speak to, she stated she was the only person in the office. Before leaving I asked her for her name, she stated it was Linda; would not give last name.

January 11, 2011, 10:32a.m.

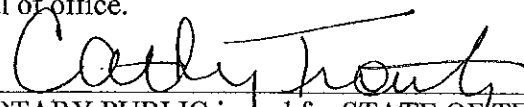
Attempted delivery to 3024 Fort Worth Ave., Dallas, TX. 75211. No answer to call button or knock on front door; could see lights on inside and one vehicle was in parking lot; left door hanger with contact info.

It is my belief that Walter Roberts does have an office at 3024 Fort Worth Ave., Dallas, TX 75211 and would be reached best at said address based on my conversations with Linda at said address. I also believe he is avoiding service. I therefore recommend leaving said documents with anyone age 16 or over at said address or affixing to the main entrance of 3024 Fort Worth Ave., Dallas, TX 75211 so Walter Roberts can be notified of this suit.

Further affiant says not.


Stephen M. Troutz, SCH2444

SUBSCRIBED AND SWORN TO before me by Stephen M. Troutz on this the 14th day of January 2011, to attest witness my hand and seal of office.


NOTARY PUBLIC in and for STATE OF TEXAS

